

**GOVERNMENT OF ANDHRA PRADESH**  
**A B S R A C T**

Social Welfare Department - 3<sup>rd</sup> Phase of Indiramma Programme – Ananthapur District, Dharmavaram Division, Dharmavaram Mandal, Kunuthur village - Acquisition of Ac.61.15 cents of lands in Sy.No.509, 510-1 etc for provision house sites to weaker sections – Draft Notification and Declaration approved – P.V. proposals approved – Withdrawal of Land Acquisition proceedings for an extent of Ac.61.15 Cents in Sy.No. 509, 510-1 etc., under Section 48 (1) of Land Acquisition Act - Orders – Issued.

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**SOCIAL WELFARE (LA.2) DEPARTMENT**

G.O.Rt.No. 477

Dated: 03-07-2013

Read the following:-

- 1.From the District Collector, Anantapur Lr.Rc.No.G5/8518/2008, dt. 8.12.2011.
- 2.From the CSW, AP, Hyd. Lr.Rc.No.LA3/10898/2011, dt:27.1.2012.
- 3.From the Spl,CS and CCLA., AP, Hyd. Lr.Rc.No.S2/776/2011, dt:11.9.2012.
- 4.From the District Collector, Anantapur Lr.Rc.No.G5/8518/2008, dated 27.5.2013.

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**O R D E R:**

The Spl Chief Secretary & Chief Commissioner of Land Administration, A.P., Hyderabad in his Lr 3<sup>rd</sup> read above has forwarded proposals of the District Collector, Anantapur/Commissioner of Social Welfare, A.P., Hyderabad for withdrawal of land acquisition proceedings in Kunuthur Village, Dharmavaram Mandal of Anantapur District of the acquired land to an extent of Ac.61.15 Cts in Sy.No.509, 510-1 etc., for providing house sites to the weaker section people under 3<sup>rd</sup> phase Indiramma Programme. The Draft Notification under Section 4(1) of the LA Act and Draft Declaration under Section 6 of the LA Act were approved by the District Collector, Anantapur and published in the Anantapur District Gazettee No.203/2008, dated 25.10.2008 and 28/2009 dated 14.6.2009. Meanwhile, the pattadars have submitted representations dated 07.6.2010 and 21.6.2010 to the District Collector, Anantapur to exempt their land from acquisition as they are small and marginal formers, they eking their livelihood through the said land and also filed W.P No. 3275/2011 in the Hon'ble High Court of A.P., against the acquisition of the said land. The District Collector, Anantapur has further reported that the Government lands were available in Regatipalli Village they were covered under litigation and W.P No.9093/2008, 9789/2008 were pending before Hon'ble High Court, so that lands were acquired at Kunuthur Village by fixing land value @ Rs.1,80,000/- per acre including all benefits under L.A Act. The land was not taken possession. The District Level Land Negotiation Committee meeting was also conducted by the District Collector, Anantapur but the pattadars were not attended the meeting and filed a WP.No.3275/2011 against the acquisition of land in Sy.No.509, 510-1 etc., Subsequently the litigation land in Regatipalli Village was free from legal hurdles and in the possession of the Government, for providing house sites and requested to accord permission for withdrawal of land acquisition proceedings U/s 48(1) of LA Act 1894 i.r.o the acquired land an extent of Ac.61.15 Cts in Sy.No.509, 510-1 etc of Kunuthur Village, Dharmavaram Mandal of Anantapur District.

2. The District Collector, Anantapur vide his Lr.Rc.No.G5/8518/2008 dated 10.5.2012, has further reported that the Kunuthur and Regatipalli Villages are adjacent Villages and they are both within the distance of 3 Kms from the boundary of Dharmavaram Town. When the proposals were initiated in patta lands i.e., Sy.No.509, 510-1 etc., extent of Ac.61.15 Cts of Kunuthur Village for providing house sites to the weaker sections, two W.Ps No. 9093/2008 and 9789/2008 filed by 56 encroachers were pending in the High Court on the Government lands available in Regatipalli Village of Dharmavaram Mandal. On the other side at the P.V stage, the pattadars had represented the District Collector, Anantapur requesting for withdrawal of their lands from the acquisition. They had also filed a WP No.3275/2011 before the Hon'ble High Court of

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A.P., seeking order for withdrawal of their lands from the acquisition. Further the Hon'ble High Court of A.P., has disposed off the two W.Ps with a direction to 'issue notice to the petitioners (encroachers) and follow due process of Law'. Notices were issued for evicting the encroachers. After due process of law, the Government land available in the Regatipalli Village of Dharmavaram Mandal was taken possession for providing house sites to the weaker sections. The pattadars whose lands were proposed for acquisition in Sy.No.509, 510-1 etc., Extent of Ac.61.15 Cts in Kunuthur Village were withdrawn the WP.No.3275/2011 in the Hon'ble High Court of A.P.,. The Dist Collector, Anantapur has also reported that the Government land in Regatipalli Village is free from legal disputes, and it is within the distance of 3 Kms from Dharmavaram Town and also suitable for provision of house sites and also keeping in view of the plea of the pattadars for exemption of their land from acquisition, the District Collector, Anantapur has requested the Government to accord permission for withdrawal of the land an extent of Ac.61.15 Cts from acquisition U/s 48(1) of LA Act.

3. The Hon'ble High Court of A.P., has issued orders dated 24.4.2012 in WP No. 3275/2011 as follows:

'Learned counsel for the petitioners seeks permission of this Court to withdraw the writ petition . Permission is accorded. Accordingly the Writ Petition is dismissed as withdrawn. No costs.

4. The Spl Chief Secretary & Chief Commissioner of Land Administration, A.P., Hyderabad has further reported that Sec. 48(1) of LA Act speaks that "completion of acquisition not compulsory, but compensation to be awarded when not completed. Except in the case provided for in Sec.36, the Government shall be at liberty to withdraw from the acquisition of any land of which possession has not been taken". Spl Chief Secretary & Chief Commissioner of Land Administration, A.P., Hyderabad has requested the Government to take appropriate decision in the matter.

5. In view of the above, after careful examination, Government hereby accord permission to the District Collector, Anantapur to withdraw the Draft Notification and Declaration published in the Anantapur District Gazettee No.203/2008, dated 25.10.2008 and 28/2009, dated 14.06.2009 under Section 4(1) of LA Act, for acquisition of land to an extent of Ac.61.15 Cts in Sy.No.509, 510-1 etc., situated in Kunuthur Village Dharmavaram Mandal of Anantapur District under Section 48 (1) of LA Act. He is requested to publish the withdrawal Notification annexed to this G.O in the next issue of the District Gazettee and Local News Papers.

6. The District Collector, Anantapur is directed to obtain a copy of challan from the pattadars, who are willing to meet the publication charges of Rs.2,21,520/- incurred towards publication of DN & DD in (2) daily News Papers as stated in the reference 4<sup>th</sup> read above, before issuing the withdrawal proceedings Notification under Section 48(1) of LA Act in the District Gazettee, and send the compliance report to Government, immediately.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**J. RAYMOND PETER**  
**PRINCIPAL SECRETARY TO GOVERNMENT**

To

The Spl Chief Secretary & Chief Commissioner of Land Administration, A.P., Hyderabad

The Commissioner of Social Welfare, A.P., Hyderabad

The District Collector, Anantapur

Copy to:

The Revenue(LA) Department w.r.t their C.No.2727/LA/A1/2012

The PS to Spl Secretary to Hon'ble Chief Minister.

SC/SF.

//FORWARDED::BY ORDER//

SECTION OFFICER  
(PTO for Annexure)